

Legislative Council.

No. , 1946.

A BILL

To abolish the Legislative Council; to provide that another Legislative Council shall not be created, constituted or established, nor shall any chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales be created, constituted or established until a Bill for the purpose has been approved by the electors on a referendum; to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith.

[Mr. R. R. DOWNING;—4 December, 1946.]

Legislative Council Abolition.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, with the approval of the electors
 5 as required by the Constitution Act, 1902, as amended by subsequent Acts, and by the authority of the same, as follows:—

1. This Act may be cited as the "Legislative Council Abolition Act, 1946," and shall be read with the
 10 Constitution Act, 1902, as amended by subsequent Acts. Short title.

2. (1) The Legislative Council is hereby abolished. Abolition of the

(2) The seat of every member of the said Legislative Council shall, on and after the commencement of this Act, be vacant. Legislative Council.

15 (3) All offices constituted or created in or in connection with the said Legislative Council are abolished.

(4) Any reference in any Act, ordinance, rule, regulation, instrument or writing whatsoever, to the
 20 Legislature or to the Parliament or to both Houses of Parliament or of the Legislature or to each House of Parliament or to either House of Parliament or other reference which if this Act had not been passed would be
 25 deemed to include a reference to the Legislative Council, shall be construed to refer only to His Majesty the King with the advice and consent of the Legislative Assembly of New South Wales or only to the said Legislative Assembly as the context may require.

3. (1) A Legislative Council shall not be created,
 30 constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established except in the manner provided in this section. Special provision as to referendum on Bill to re-establish a Legislative Council.

35 (2) A Bill for any purpose within subsection one of this section shall not be presented to the Governor for His Majesty's assent until the Bill has been approved by the electors in accordance with this section.

(3)

Legislative Council Abolition.

(3) On a day not sooner than two months after the passage of the Bill through the Legislative Assembly the Bill shall be submitted to the electors qualified to vote for the election of members of the Legislative
5 Assembly.

Such day shall be appointed by the Legislature.

(4) When the Bill is submitted to the electors the vote shall be taken in such manner as the Legislature prescribes.

10 (5) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for His Majesty's assent.

(6) The provisions of this section shall extend to any Bill for the repeal or amendment of this section, and
15 to any Bill for the repeal or amendment of section two of this Act.

Section 101 of the Act

(3) On a first occasion, the person shall be liable to a fine of not more than £500 or to imprisonment for not more than 3 months, or to both such fine and such imprisonment, if he is convicted of an offence under this section.

Section 102 of the Act

(1) A person who is convicted of an offence under section 101 shall be liable to a fine of not more than £1000 or to imprisonment for not more than 6 months, or to both such fine and such imprisonment.

Section 103 of the Act

(1) A person who is convicted of an offence under section 102 shall be liable to a fine of not more than £2000 or to imprisonment for not more than 12 months, or to both such fine and such imprisonment.

Section 104 of the Act

(1) A person who is convicted of an offence under section 103 shall be liable to a fine of not more than £5000 or to imprisonment for not more than 2 years, or to both such fine and such imprisonment.

PROOF

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Abolition of the Legislative Council.

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Special provision as to referendum on Bill to re-establish a Legislative Council.

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